

1 BILL NO. Z-94-05-06

2 ZONING MAP ORDINANCE NO. Z-Lish.

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. S-10.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
6 WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated an RA (Suburban Residential) District under the
9 terms of Chapter 157 Title XV of the Code of the City of Fort
10 Wayne, Indiana of 1974:

11 PARCEL NO. 1

12 Part of Lot 1 of a Subdivision of the Fractional Section
13 5, Township 30 North, Range 13 East, in Allen County,
14 Indiana, as recorded in Deed Record Book 31, page 436, in
15 the Office of the Recorder of said Allen County, and in
16 particular described as follows, to-wit: Commencing on
17 the north line of said lot at a point situated 8.50
18 chains east of the northwest corner of said lot; thence
19 running east on the line aforesaid 105.0 feet; thence
20 south and parallel to the west line of said lot a
21 distance of 225.0 feet; thence west and parallel to the
22 north line of said lot a distance of 105.0 feet; thence
23 North 225.0 feet to the place of beginning, containing
24 0.54 acres of land.

25 PARCEL NO. 2

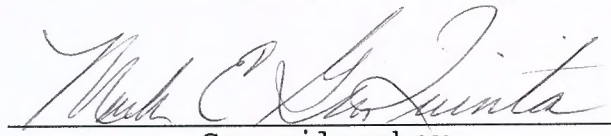
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27 5, Township 30 North, Range 13 East, in Allen County,
28 Indiana, as recorded in Deed Record Book 31, page 436, in
29 the Office of the Recorder of said County, and in
30 particular described as follows, to-wit: Commencing on
31 the north line of said lot at a point situated 666.0 feet
32 east of the Northwest corner of said lot; thence running
east on the line aforesaid 100.0 feet; thence south and
parallel to the west line of said lot a distance of 190.0
feet; thence west and parallel to the north line of said
lot a distance of 100.0 feet; thence north 190.0 feet to
the place of beginning, containing 0.436 acre of land.

PARCEL NO. 3

Part triangular in form of Lot 36 of the Plat of
Greenvale Addition, as recorded in Plat Book 21, page 131
in the Office of the Recorder of Allen County, Indiana
and in particular described as follows, to-wit:
Commencing on the north line of said lot at a point 145
feet west of the east corner thereof; thence running west
on the aforesaid line 100 feet to the northwest corner of
said lot; thence south on the west line of said lot a
distance of 35 feet to the southwest corner of said lot;
thence northeastward 105.95 feet to the place of
beginning.

1
2 and the symbols of the City of Fort Wayne Zoning Map No. S-10,
3 as established by Section 157.016 of Title XV of the Code of
4 the City of Fort Wayne, Indiana are hereby changed
5 accordingly.
6
7

8 SECTION 2. That this Ordinance shall be in full force
9 and effect from and after its passage and approval by the
10 Mayor.
11


Councilmember

12 APPROVED AS TO FORM AND LEGALITY:

13 
14 J. TIMOTHY MCCAULAY, CITY ATTORNEY
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Read the first time in full and on motion by Di Jure,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, the _____ day of
_____, 19_____, at _____ o'clock
_____, M., E.S.T.

DATED: 5-10-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES		5		4
BRADBURY		✓		
EDMONDS		✓		
GIAQUINTA				✓
HENRY				✓
LONG		✓		
LUNSEY		✓		
RAVINE				✓
SCHMIDT				✓
TALARICO		✓		

DATED: 6-14-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19_____,

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____, M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____, M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

No 14927

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., 4-21 1994

RECEIVED FROM Bradford Pippie \$ 100.00

THE SUM OF One hundred 00/100 DOLLARS

ON ACCOUNT OF repairs BJ to BKA
4512 Lakeview
apt 2

4600

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

#563
THIS IS TO BE FILED IN DUPLICATE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

I/We

BRADFORD D. PEPPLE

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne
Indiana, by reclassifying from a/an R-1 District to a/an R-A For
District the property described as follows: duplex.

SEE ATTACHED

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

4512 LAKE AVE

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

FRED D. KATTAN

4512 LAKE AVE
(9622 GREENMOOR, NEW HAVEN)

Fred D. Kattan

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission.

Name and address of the preparer, attorney or agent.

BRADFORD D. PEPPLE

(Name)

9024 BRADENTON RD 46835

(Address & Zip Code)

485-2961

(Telephone Number)

COMMUNITY AND ECONOMIC DEVELOPMENT / Division of Long Range Planning & Zoning
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,
Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

PARCEL NO. 1

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ZOHRAI K. TAZIAN, P.E. & L.S.
JOHN C. SAUER, L.S.
SAM L. FAUST, L.S.

zk tazian

ASSOCIATES, INC.
345 WEST WAYNE STREET
SUITE 202
FORT WAYNE, INDIANA 46802
PHONES: 219/424-3232
219/424-3234 FAX



CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

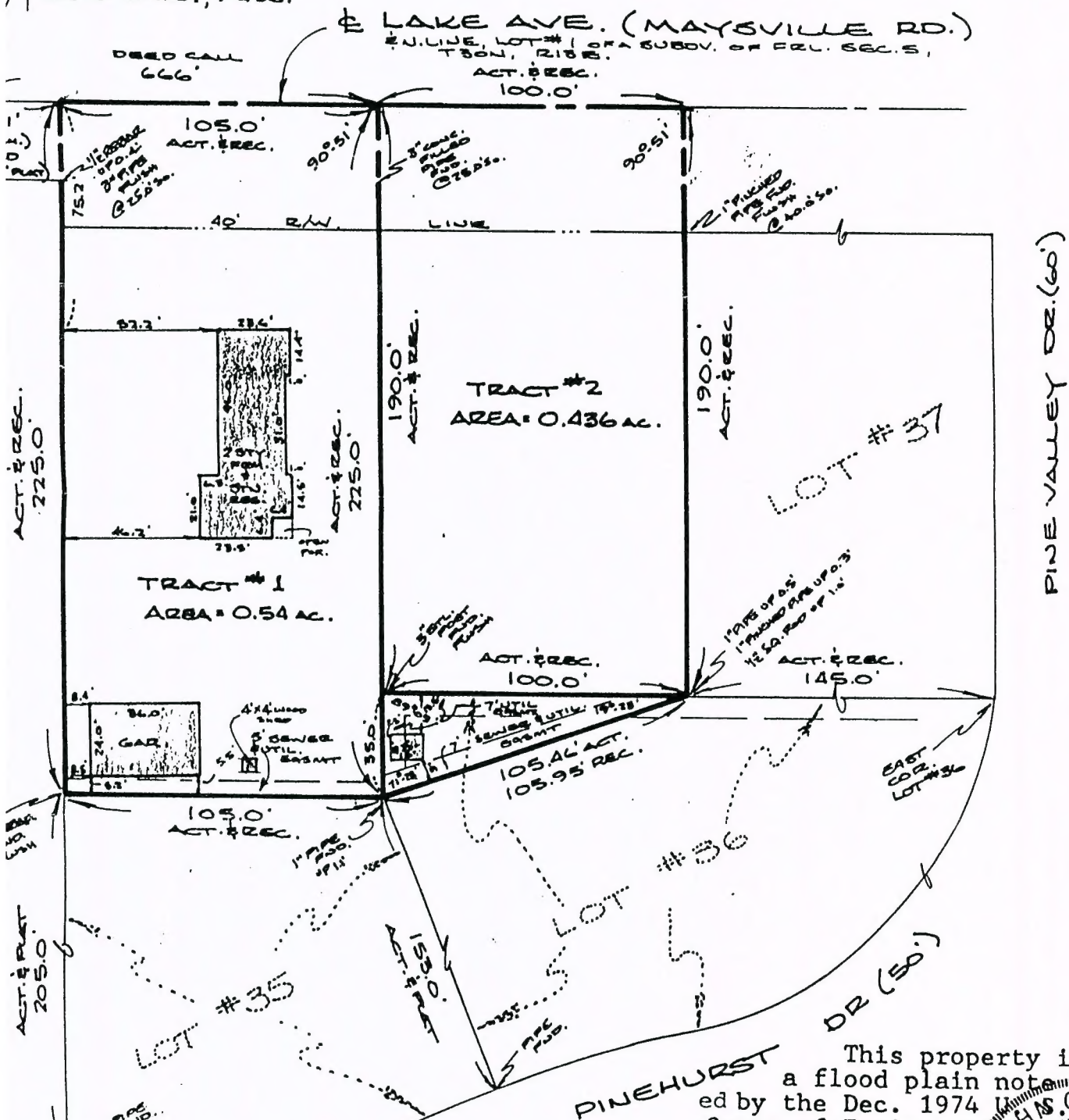
DESCRIPTION OF REAL ESTATE

See Page 2 for Description.

RE-CERTIFIED FOR: VILLAVICENCIO 8-9-77
ALL CORNERS FOUND & FLAGGED
RE-CERTIFIED FOR: KATTAU 7-31-91
ALL CORNERS LOCATED & MARKED.

This property is in Zone X, outside the 500 year flood limits, according to Flood Insurance Rate Map No. 18003C0280 D, effective September 28, 1990.

N.W. COR., LOT #1
OF A SUBDIVISION OF
THE FRACTIONAL SEC.
5, T30N, R18E, AS
REC'D D.C. 31, P436.

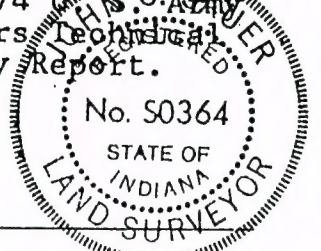


This property is not in a flood plain note as defined by the Dec. 1974 U.S. Army Corps of Engineers Technical Flood Plain Summary Report.

I hereby certify on the 9th day of June, 19 76 that the above survey is correct.

Surveyed for: Martin
Survey No.: EA-110

Sam



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on May 10, 1994 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-94-05-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 16, 1994.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual an unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1994.

Certified and signed this
24th day of May 1994.



Carol Kettler Sharp
Secretary

#564

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 4512 Lake Avenue

2-94-05-06

EFFECT OF PASSAGE Property is currently zoned R-1 - Single Family Residential. Property will be rezoned to RA - Suburban Residential.

EFFECT OF NON-PASSAGE Property will remain zoned R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

FACT SHEET

Z-94-05-06

**Division of Community
Development & Planning**

BILL NUMBER

BRIEF TITLE

Zoning Map Amendment

APPROVAL DEADLINE**REASON**

From R-1 to RA

DETAILS**Specific Location and/or Address**

4512 Lake Avenue

Reason for Project

Convert existing structure into a duplex.

Discussion (Including relationship to other Council actions)16 May 1994 - Public Hearing

Thomas Eugene Smith, 2813 Woodhollow Trail appeared before the Commission for the petitioner. Mr. Smith stated that Mr. Pepple, the petitioner, had asked him to appear at the meeting. He stated the purpose of the rezoning request would be to use the property for a duplex.

There was no one else who spoke in favor of or in opposition to the proposed rezoning.

23 May 1994 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion. The Chair did not vote..

Motion carried.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Bradford Pepple
City Department

Other

Opponents**Groups or Individuals****Basis of Opposition****Staff
Recommendation**

☐ For ☒ Against

Reason Against
-approval would not be consistent with current development in the area

**Board or
Commission
Recommendation****By**

☐ For ☒ Against
☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS


Members Present: Ernest Evans, James Hoch, Charles Layton, Thomas Quirk, Dave Ross, Mel Smith, Vicky VerPlanck

Members Absent: Mark GiaQuinta, Carol Kettler Sharp

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

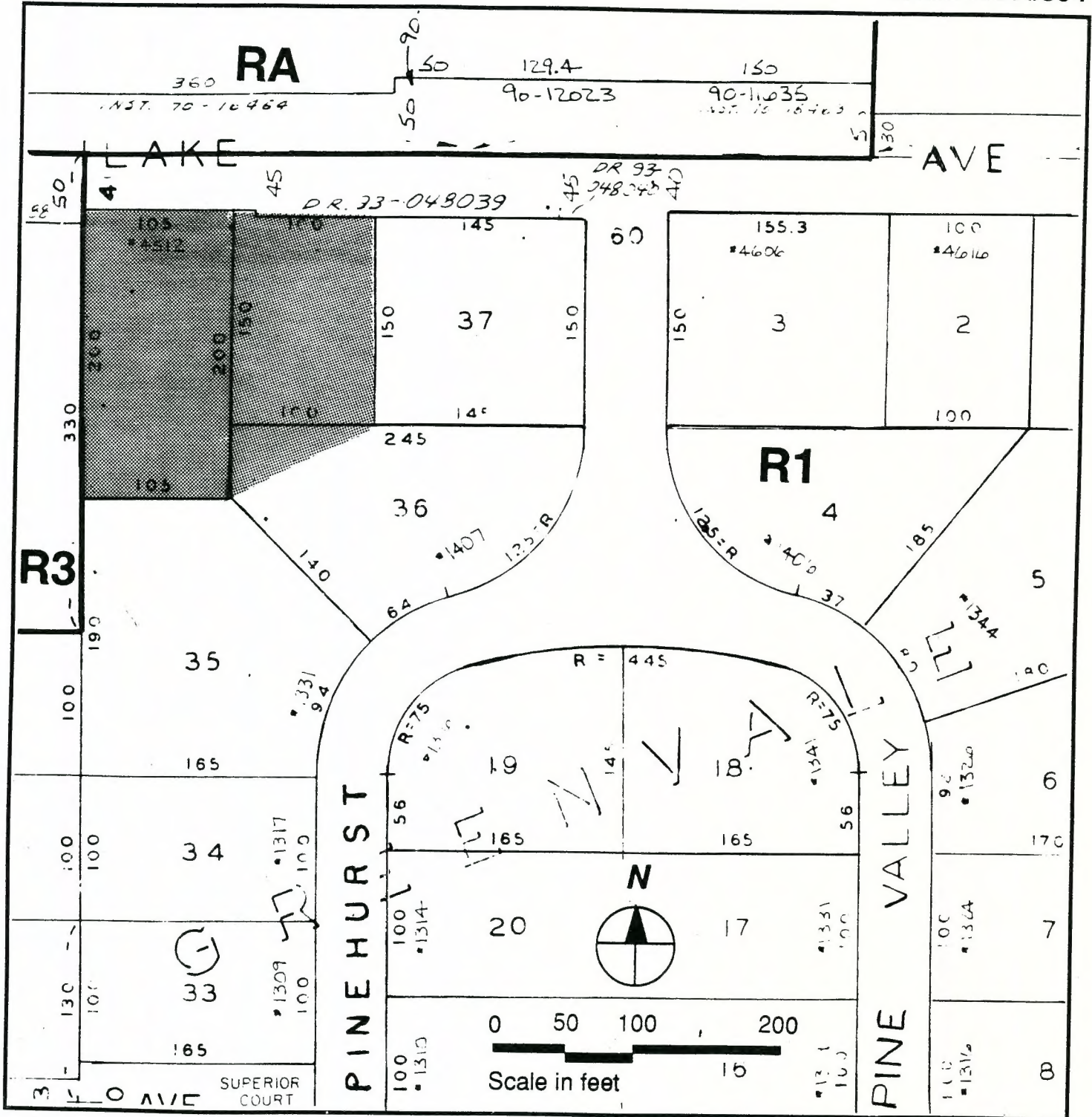
(This space for further discussion)

Project Start	Date	21 April 1994
Projected Completion or Occupancy	Date	24 May 1994
Fact Sheet Prepared by Patricia Biancaniello	Date	24 May 1994
Reviewed by 	Date	5/25/94
Reference or Case Number		

ZONING PETITION

AREA MAP

CASE NO. #564



COUNCILMANIC DISTRICT NO. 1

Map No. S-10
LW 4-22-94

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

BILL NO. Z-94-05-06

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~)

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
_____	<i>Rebecca Ravine</i>	_____	_____
_____	<i>Mark E. Giaquinta</i>	_____	_____
_____	<i>Janet G. Bradbury</i>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 6-14-94

Sandra E. Kennedy
City Clerk